

AN ORDINANCE      100984

**IMPOSING AND LEVYING A ONE-EIGHTH CENT SALES AND USE TAX FOR PROPOSITION NO. 1—EDWARDS AQUIFER PROTECTION VENUE PROJECT PROPOSITION AND PROPOSITION NO. 2—PARKS DEVELOPMENT AND EXPANSION VENUE PROJECT PROPOSITION, THE ADOPTION OF WHICH WERE AUTHORIZED AND APPROVED BY THE VOTERS OF THE CITY AT THE MAY 7, 2005 SPECIAL ELECTION.**

\* \* \* \* \*

**WHEREAS**, the City Council of the City of San Antonio, Texas ("City Council") desired to provide for the planning, acquisition, establishment, development, construction or renovation of two venue projects ("the **EDWARDS AQUIFER PROTECTION VENUE PROJECT**" and "the **PARKS DEVELOPMENT AND EXPANSION VENUE PROJECT**") as authorized by, and defined in, Chapter 334, Texas Local Government Code, as amended (the "Act"); and

**WHEREAS**, the City Council was authorized by Section 334.024 of the Act, to order an election on the question of approving and implementing each Venue Project and the method of financing of each such Venue Project; and

**WHEREAS**, through Ordinance No. 99608, the City Council ordered the Special Election and said Special Election was held on Saturday, May 7, 2005; and

**WHEREAS**, by Ordinance passed and approved on May 17, 2005, the City Council canvassed the returns of said election, and did, thereby, officially find, determine, and declare the results of said election to be that **PROPOSITION NO. 1—EDWARDS AQUIFER PROTECTION VENUE PROJECT PROPOSITION AND PROPOSITION NO. 2—PARKS DEVELOPMENT AND EXPANSION VENUE PROJECT PROPOSITION**, as so submitted to the voters were each approved and each received a favorable majority vote in all respects and carried; and

**WHEREAS**, the City is thereby authorized to impose and levy the one-eighth sales and use tax, the adoption of which was authorized and approved by the voters of the City, as described above, in accordance with the requirements of the Act and Chapter 321 of the Texas Tax Code for the purposes and uses authorized by the voters and in the Act and to use money received from the sales and use tax approved by the voters in connection with such approved Venue Projects to reimburse or pay the costs of planning, acquiring, establishing, developing, constructing, or renovating such approved Venue Projects, pay the principal of, interest on, and other costs relating to bonds or other obligations issued by the City to finance the approved Venue Projects, and pay the costs of operating or maintaining the approved Venue Projects; and

**WHEREAS**, Section 334.086 of the Act provides that such tax shall be imposed in the City at the rate approved at the election, and Section 334.087 of the Act declares the effective date of the tax to be the first day of the first calendar quarter occurring after the expiration of the first

complete quarter occurring after the date on which the comptroller receives a notice from the City of the official results of such election adopting the tax; and

**WHEREAS**, having met the requirements and in accordance with the provisions of the Act, the City desires to impose and levy the one-eighth cent sales and use tax for the purposes and uses authorized by the voters and in the Act; **NOW THEREFORE**:

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**


**SECTION 1.** A sales and use tax as provided in Chapter 334, Texas Local Government Code, is hereby imposed and levied at the rate of one-eighth of one percent (1/8 of 1%), the adoption of which was authorized and approved by the voters of the City at the May 7, 2005 Special Election held within the City, in accordance with the procedures and requirements of the Act, to be effective the first date on which such tax is authorized by the Act to be collected by the City for the purposes and uses authorized by the voters and in the Act.

**SECTION 2.** In accordance with Section 334.088 of the Act, revenue from the tax imposed under the Act shall be deposited in the respective venue project fund, which will hereafter be established by the City Council and evidenced by passage of a Resolution.

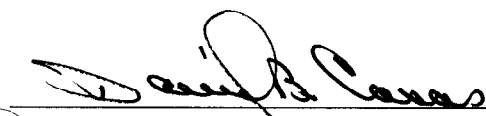
**SECTION 3.** The City Clerk is hereby authorized and directed to send to the State Comptroller of Public Accounts by United States certified or registered mail, a certified copy of this Ordinance, along with a certified copy of the Canvassing Ordinance, and a map of the City clearly showing the boundaries of the City, as required by the Act and Section 321.405 of the Texas Tax Code.

**SECTION 4.** This Ordinance shall take effect ten days from the date of passage hereof.

**PASSED AND APPROVED** on this the 2<sup>nd</sup> day of June, 2005.

  
M A Y O R  
EDWARD D. GARZA

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
City Attorney

# Agenda Voting Results

**Name:** 27A.

**Date:** 06/02/05

**Time:** 02:31:38 PM

**Vote Type:** Multiple selection

**Description:** An Ordinance imposing and levying a one-eighth cent sales and use tax for Proposition No. 1-Edwards Aquifer Protection Venue Project Proposition and Proposition No. 2-Parks Development and Expansion Venue Project Proposition, the adoption of which were authorized and approved by the voters of the city at the May 7, 2005 Special Election.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. McNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		